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Comments on the Material Pope Thesis. First Part.

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Comments on the "Material Pope Thesis"

First Part.

First I would like to emphasize right away that my comments are in no way directed against Bishop Guerard des Lauriers or anyone who holds his "thesis".

Under Pope Pius XII, Fr. Guerard des Lauriers served as a professor at the Pontifical Lateran University in Rome, and some time prior to 1950, he was an advisor to the Pope on the Dogma of the Assumption of Our Lady proclaimed in the Apostolic Constitution "Munificentissimus Deus" on November 1, 1950.

Fr. Guerard des Lauriers believed that the new rites of ordination and Episcopal consecration promulgated by "Paul VI" on June 18, 1968 were doubtfully valid or even totally invalid and therefore it was necessary to take action to secure a valid succession of bishops for the preservation of the Roman Catholic Church. He began discussions with Dr. Heller and Dr. Hiller, German "sedevacantist" laymen who were harboring Most. Rev. Pierre Martin Ngo Dinh Thuc. After Fr. Lauriers agreed to abate or even renounce his "thesis" and adhere to the "Sedevacantism", it was agreed that the Bp. Thuc would consecrate him as a bishop.

On May 7, 1981, Fr. Lauriers was consecrated bishop by Bp. Ngo Dinh Thuc. However, shortly after, Bp. Guerard des Lauriers reiterated his "Cassiciacum Thesis" and started a "polemical war" with the "Sedevacantists", including Bp. Ngo Dinh Thuc.

I find the "Cassiciacum Thesis" to be false and prefer to follow the position of the Most Rev. Ngo Dinh Thuc who earned three doctor's degrees from the Pontifical Gregorian University in Philosophy, Theology, and Canon Law.

Actually I will comment on some pro "Material Pope Thesis" arguments.

Briefly, "material-formalists" say that the men who were elected to the office of the Pope by the cardinals of the Vatican II church were and are "material popes", but they have no formal authority because of preaching heresies. Despite the fact that such a "material pope" is a public formal heretic, he immediately becomes a "formal pope" and acquires the fullness of the authority of the Roman Pontiff when he ceases to preach heresies and begins to preach the Catholic Faith.

An interesting nuance of this "thesis" is that such a "material pope" is capable of becoming a "formal pope" years after the conclave at which he was "elected".

However, the Church teaches that a newly elected Pontiff receives the fullness of the Roman Pontiff's power during the conclave, not after it is completed.

Also, according to the "thesis", although a "material pope" does not have the supreme power of jurisdiction over the whole Church, nevertheless he has the right to designate cardinals, so that after his death they can elect not only a "material pope" but even "formal pope" as well.

Here are some extracts from the "Explanation of thesis" and my brief comments on them following.

Argument 1:

"The "thesis" of Bp. Guerard des Lauriers, as it has come to be called, is an explanation which respects the two demands of Catholic dogma: (1) that he who promulgates false doctrine, false worship, and evil disciplines cannot be the Roman Pontiff; (2) that there must be an uninterrupted line of legitimate successors of St. Peter from St. Peter himself to the Second Coming of Christ."

Comment 1:

The (1) is true. The (2) is true only for legitimate successors of St. Peter, but it is not true for the Vatican II false popes.

Argument 2:

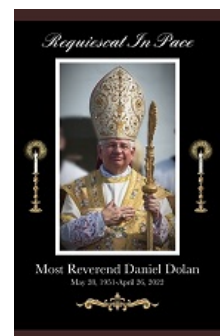
"It is impossible that a public heretic be the Roman Pontiff."

Comment 2:

It is not only impossible for a public heretic to be the Roman Pontiff, but it is impossible for a public heretic to be elected to the Papacy. **"The election of an infidel, heretic, schismatic, or female would be invalid" (CANONICAL ELECTIONS**, Dissertation, SUBMITTED TO THE FACULTY OF THEOLOGY OF THE CATHOLIC UNIVERSITY OF AMERICA, IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE DOCTOR OF CANON LAW, By DANIEL M. GALLIHER, O. P., J. C. L., Catholic University of America, 1917, Nihil Obstat: +THOMAS J. SHAHAN, S. T. D., Censor Deputatus., Imprimatur: +M. CARD. GIBBONS, Archiepiscopus Baltimorensis., Approbatio Ordinis, Nihil Obstat: FR. JOSEPHUS KENNEDY, O. P., S. T. M., FR. AUGUSTINUS WALDRON, O. P., S. T. M., Imprimatur: FR. RAYMUNDUS MEAGHER, O. P., S. T. L., Prior Provincialis., The Rosary Press, Somerset, Ohio, 1917, p. 104-107).

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Argument 3:

"There is such a thing as material succession. Material succession is to succeed to a position of power, without receiving the power."

Найти

Comment 3:

A Pope is elected not to succeed a position of power materially "without receiving the power", but to receive the fullness of the power formally. The conclave continues until a Catholic man, who is elected, accepts the election and receives the fullness of the Roman Pontiff's supreme power. A newly elected Roman Pontiff gives his first Apostolic Blessing Urbi et Orbi as legitimate successor of St. Peter who formally accepted the election and received the fullness of the Roman Pontiff's power. It is impossible that a newly elected Pope gives his first blessing as a "material successor" without receiving the power.

The Church has no teaching on the solely "material succession" of St. Peter's successors. The Vatican Council infallibly teaches on the fullness of the Roman Pontiff's supreme power and places under anathema anyone who says that the Roman Pontiff possesses **"not all the fullness of this supreme power"** (**THE DECREES OF THE VATICAN COUNCIL**, Edited WITH AN INTRODUCTION by the REV. VINCENT McNABB, O.P., NEW YORK, CINCINNATI, CHICAGO, BENZIGER BROTHERS, Printers to the Holy Apostolic See, 1907, Imprimi potest: FR LAURENTIUS SHAPCOTE, O.P., S.T.L., Prior Provincialis, Imprimi potest: +GULIELMUS, Episcopus Arindensis, Vicarius Generalis, Westminster, die 19 Oct. 1906, 4th Session of the Holy Ecumenical Vatican Council, First Dogmatic Constitution on the Church of Christ, On the Power and Nature of the Primacy of the Roman Pontiff, 1870, July 18, p. 39-42).

If for whatever reason the Cardinals elect a public heretic, such election will be invalid, and consequently, after the closure of the conclave, an invalidly elected person will be neither material nor formal St. Peter's successor; he will be not Pope at all.

Argument 4:

"He therefore who has been legally elected to the papacy receives whatever authority he is capable of, i.e., to which he does not posit an impediment."

Comment 4:

The General Vatican Council, A. D. 1870 – held at Rome under Pope Pius IX - infallibly teaches on the *whole plenitude* of the Roman Pontiff's supreme power and places under anathema anyone who says that the Roman Pontiff possesses not all the fullness of this supreme power:

"1831 [*CANON*] Si quis itaque dixerit, Romanum Pontificem habere tantummodo officium inspectionis vel directionis, non autem plenam et supremam potestatem iurisdictionis in universam Ecclesiam, non solum in rebus, quae ad fidem et mores, sed etiam in iis, quae ad disciplinam et regimen Ecclesiae per totum orbem diffusae pertinent; aut eum habere tantum potiores partes, non vero totam plenitudinem huius supremae potestatis; aut hanc eius potestatem non esse ordinariam et immediatam sive in omnes ac singulas ecclesias sive in omnes et singulos pastores et fideles: anathema sit." (**ENCHIRIDION SYMBOLORUM, DEFINITIONUM ET DECLARATIONUM DE REBUS FIDEI ET MORUM, AUCTORE HENRICO DENZINGER, EDITIO UNDECIMA, QUAM PARAVIT CLEMENS BANNWART S. J., FRIBURGI BRISGOVIAE B. H E R D E R T Y P O G R A P H U S E D I T O R P O N T I F I C I U S, M C M X I, A R G E N T O R A T I, B E R O L I N I, C A R O L S R U H A E, M O N A C H I I, V I N D O B O N A E, L O N D I N I B R I T A N N I A E, S. L U D O V I C I A M E R I C A E, E x a t e n, d i e 11. m e n s i s D e c e m b r i s a n n o 1910, E r n. T h i l l S. J. P r a e p. P r o v. G e r m., I m p r i m a t u r F r i b u r g i B r i s g o v i a e, d i e 7 F e b r u a r i i 1911, +T h o m a s, A r c h i e p p s, p. 487**) "1831 [Canon] If anyone thus speaks, that the Roman Pontiff has only the office of inspection or direction, but not the full and supreme power of jurisdiction over the universal Church, not only in things which pertain to faith and morals, but also in those which pertain to the discipline and government of the Church spread over the whole world; or, that he possesses only the more important parts, but not the whole plenitude of this supreme power; or that this power of his is not ordinary and immediate, or over the churches altogether and individually, and over the pastors and the faithful altogether and individually: let him be anathema." (**THE SOURCES OF CATHOLIC DOGMA**, Translated by Roy J. Deferrari from the Thirtieth Edition of Henry Denzinger's *Enchiridion Symbolorum*, This translation was made from the thirtieth edition of *Enchiridion Symbolorum*, by Henry Denzinger, revised by Karl Rahner, S.J., published in 1954 by Herder & Co., Freiburg., Nihil Obstat: Dominic Hughes, O.P. Censor Deputatus, Imprimatur: +Patrick A. O'Boyle, Archbishop of Washington, April 25, 1955, p. 455)

He therefore who has been legally elected to the Papacy receives the whole plenitude of the Roman Pontiff's authority, and not "whatever authority he is capable of, i.e., to which he does not posit an impediment".

Argument 5:

"The Novus Ordo "popes" have material succession. I do not think that anyone would deny that the Novus Ordo "Popes" are at least in the same condition as Greek Schismatic bishops in Apostolic sees. The kernel of the question is whether nomination of Novus Ordites to the place of authority is legal and legitimate or not. Totalists would say that they are in no better condition than Greek schismatics, that is, they succeed materially, but without legitimate designation. Material-formalists say that they succeed materially, but with legal and legitimate designation. Both sides agree that they have no jurisdiction, and are, therefore, false popes."

Comment 5:

So called "totalists" (a term used for distinguishing of the "sedevacantists") don't say that the "*Novus Ordo* "Popes" are at least in the same condition as Greek Schismatic bishops in Apostolic sees". The "totalists" say that the *Novus Ordo* "popes" are false popes in the meaning that they are not popes at all. The Vatican II false popes have no jurisdiction not because they "succeed materially", but because being public and formal heretics, they are not popes at all.

If the "*Novus Ordo* "Popes" are at least in the same condition as Greek Schismatic bishops", then -

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according to the Council of Florence - they are not members of the Church because "anyone who breaks away, for instance, by heresy, no longer belongs to the Church in spite of his baptism":

"Anyone who breaks away, for instance, by heresy, no longer belongs to the Church in spite of his baptism, though he is not thereby freed from his obligations to the Church. Neither heathens, Jews, heretics, nor schismatics are members of the Church (Council of Florence)" **(The Catechism Explained)**, From the original of Rev. Francis Spirago, Professor of Theology, Edited by Rev. Richard F. Clarke, S.J. New York, Cincinnati, Chicago: BENZIGER BROTHERS, Printers to the Holy Apostolic See, 1899. Nihil Obstat: Thos. L. Kinkead, Censor Librorum, Imprimatur: + MICHAEL AUGUSTINE, Archbishop of New York, New York, August 8, 1899, p. 228)

Therefore, not being members of the Church, neither Greek schismatic bishops nor Ratzinger (who had broken away by heresy) have any right to be elected to the place of authority in the Catholic Church.

Also, condition of Greek Schismatic bishops in Apostolic sees is illegitimate:

"An Apostolic see is any see founded by an Apostle and having the authority of its founder; the Apostolic See is the seat of authority in the Roman Church, continuing the Apostolic functions of Peter, the chief of the Apostles. Heresy and barbarian violence swept away all the particular Churches which could lay claim to an Apostolic see" **(THE CATHOLIC ENCYCLOPEDIA)**, AN INTERNATIONAL WORK OF REFERENCE, ON THE CONSTITUTION, DOCTRINE, DISCIPLINE AND HISTORY OF THE CATHOLIC CHURCH, EDITED BY CHARLES G. HERBERMANN, Ph.D., LL.D., EDWARD A. PACE, Ph.D., D.D., CONDE B. PALLEN, Ph.D., LL.D., THOMAS J. SHAHAN, D.D., JOHN J. WYNNE, S.J., ASSISTED BY NUMEROUS COLLABORATORS, IN FIFTEEN VOLUMES, VOLUME I, p. 640, New York ROBERT APPLETON COMPANY, Imprimatur: +JOHN M. FARLEY, ARCHBISHOP OF NEW YORK. 1907).

The Greek Church lost Apostolic succession which must be both *material and formal*, since in tracing the mission of the Church back to the Apostles no *lacuna* can be allowed; any break in this succession destroys Apostolicity, because the break means the *beginning of a new series* which is *not Apostolic*:

"Apostolicity of mission means that the Church is one moral body, possessing the mission entrusted by Jesus Christ to the Apostles, and transmitted through them and their lawful successors in an unbroken chain to the present representatives of Christ upon earth. This authoritative transmission of power in the Church constitutes Apostolic succession. This Apostolic succession must be both material and formal; the material consisting in the actual succession in the Church, through a series of persons from the Apostolic age to the present; the formal adding the element of authority in the transmission of power. It consists in the legitimate transmission of the ministerial power conferred by Christ upon His Apostles. No one can give a power which he does not possess. Hence in tracing the mission of the Church back to the Apostles, no lacuna can be allowed, no new mission can arise; but the mission conferred by Christ must pass from generation to generation through an uninterrupted lawful succession. The Apostles received it from Christ and gave it in turn to those legitimately appointed by them, and these again selected others to continue the work of the ministry. Any break in this succession destroys Apostolicity, because the break means the beginning of a new series which is not Apostolic." **(THE CATHOLIC ENCYCLOPEDIA)**, VOLUME I, p. 648)

"Regarding the Greek Church, it is sufficient to note that it lost Apostolic succession by withdrawing from the jurisdiction of the lawful successors of St. Peter in the See of Rome." **(THE CATHOLIC ENCYCLOPEDIA)**, VOLUME I, p. 649)

Also, please don't forget that Ratzinger is only a priest because he was consecrated bishop in 1977 under the new rite of "Paul VI"; so his episcopacy may be Absolutely Null and Utterly Void. Bergoglio also was ordained (1969) and consecrated (1992) under the new rite of "Paul VI"; therefore he may be only a layman.

Argument 6:

"II. There is a matter and form in authority. The matter of authority is the person who is legally and legitimately selected to receive the authority. The form of authority is the power, the jurisdiction to rule. So on the first Tuesday of November, the new President of the United States is legally and legitimately selected, but he has no power. He is not the President. On January 20th, he becomes the President, since on that day he receives the power. From November to January, he is materially the President, since he is officially designated. In January, he is formally the President."

Comment 6:

A formal **public** heretic cannot be the "matter" of authority of the Roman Pontiff; he cannot be legally and legitimately selected to receive the authority of the Roman Pontiff (see Comment 9).

Also, the presidential electoral system is *unknown* to the Catholic Church.

A president-elect is prevented from exercising the power during three months after election, because a previous President is still formally the President during that time.

Unlike Presidential election, Papal election is held only after death, or canonical loss of office, or abdication of a previous Pope.

When a pope-elect accepts the election and reveals his Papal name, he *immediately* receives the *whole plenitude of the supreme power* of the Roman Pontiff. This process is completed during the conclave, not three months or twenty years afterwards.

Argument 7:

"So it is possible that someone could enjoy a legal status which does not reflect the reality of what he is. Usually the law is slow to recognize the reality. Nestorius, for example, was a public heretic in 428, but was not legally declared a heretic and legally deposed from his see until 431. Luther was a public heretic in 1517, but was not excommunicated legally until 1521. In both cases these heretics *in fact* ceased to be Catholics when they published their heresies, but remained *legally* Catholics until their *legal* separation from the Church by the

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Church authorities.

The reason for this twofold and sometimes conflicting standard is that society — any society, including the Church — is not a mob."

Comment 7: Nestorius and Luther separated from the Church *ipso facto* when they published their heresies, but the Church pronounced *condemnatory sentences*. Nestorius removed from his see, and his heretical teachings were officially anathematized by the General Council of Ephesus 431. Luther was excommunicated by Pope Leo X on 3 January 1521 by the bull "Decet Romanum Pontificem".

Today, when the Throne of St. Peter is physically empty, neither Pope nor General Council can excommunicate Ratzinger. Nevertheless, Canon Law says us that Ratzinger lost *ipso facto* all his offices he ever held in the Catholic Church and separated from the Church *ipso facto* as well.

Note that Ratzinger was *never* a "material" or "formal pope," so he never lost the office of the Pope.

Also, I don't think that any Catholic can easily believe that the Church could elect the public heretics as "material popes". I don't believe that the Church could elect Luther in order he had some "material" control over the Church, for example "to appoint electors to the papacy". If this happened, then one would say: **"I had a nightmare that Luther was elected a material pope"**. If this happened, then the *Novus Ordo* project would have been launched 500 years ago.

Also, although any civil society sometimes is ruled by mob (ὄχλοκρατία), and the Vatican II "material popes" want the Church to be ruled by mob too, the Church, however, has never been a mob.

Argument 8:

"In the same way, the person who posits an obstacle to the grace of the Sacrament of Confirmation nonetheless exteriorly receives the sacrament. If the pope-elect should remove the obstacle to the flow of authority, he would become the pope, just as he who confesses his sins with true sorrow then receives the effect of the Sacrament of Confirmation."

Comment 8:

Although the Papacy was instituted by God, it is not a sacrament. The election of the Roman Pontiff is not a sacramental action as well.

Moral Theology teaches about the reviviscence of the Sacraments as follows:

"Should one recover the proper dispositions after receiving a Sacrament fruitlessly, sometimes the Sacrament *revives*, i.e., its corresponding graces are subsequently conferred. Reviviscence is certain in case of Baptism. As to Confirmation, Holy Orders, Extreme Unction and Matrimony it is highly probable. In the case of the Holy Eucharist it is probable as long as the Sacred Species remain present; while it is questionable regarding penance.

For the reviviscence of a Sacrament, that *disposition* is in general necessary which is required for its valid and licit reception" (**Moral Theology**, by Rev. Heribert Jone, O.F.M. CAP., J.C.D., by Rev. Urban Adelman, O.F.M. CAP., J.C.D., The Mercier Press Limited, Cork, Ireland, Nihil Obstat: PIUS KAE LIN, O.F.M. CAP, Censor Deputatus, Imprimi Potest: VICTOR GREEN, O.F.V. CAP., Provincial, July 2, 1955, Nihil Obstat: RICHARD GINDER, S.T.L., Censor Librorum, Imprimatur: JOHN FRANCIS DEARDEN, D.D., Bishop of Pittsburg, August 15, 1955, Printed in the United states of America, p. 310-311)

The reviviscence does not work in case of an invalid election of a notorious public heretic. Such a person must remove the obstacle by abjuration of heresy before the election, not afterwards.

Also, the meaning of the term "pope-elect" in the mind of the Church is not the same as "material-formalists" mean applying it to a formal heretic, who according to the "thesis", plays the role of a "material pope". The Church applies the term "pope-elect" only to a candidate who is known as a true Catholic.

DANIEL M. GALLIHER, O. P., J. C. L., explaining the manner of Electing a Sovereign Pontiff according to the Constitution "Vacante Sede Apostolica", published by Pope St. Pius X on December 25, 1904, applies the terms "pope-elect" and "newly elected pontiff" to a candidate who is known to the electors as true Catholic, not a public heretic:

"When a candidate receives exactly two-thirds of all the votes - as did Benedict XV - the ballot of the *pope-elect*, distinguishable, like all the others, by a text of Scripture written on an outside fold, is opened to make sure that he did not vote for himself, for to ensure election a candidate must receive a two-thirds vote exclusive of his own. If a candidate received the two-thirds vote, the cardinal dean approaches the *newly elected pontiff* and asks him whether he will accept the election and by what name he wishes to be known. If he accepts, all the cardinals arise, and the canopies of all the chairs are lowered, except that of the pope, who is conducted behind the altar where he is clothed in the papal garments."

(**CANONICAL ELECTIONS**, Dissertation, SUBMITTED TO THE FACULTY OF THEOLOGY OF THE CATHOLIC UNIVERSITY OF AMERICA, IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE DOCTOR OF CANON LAW, By DANIEL M. GALLIHER, O. P., J. C. L., Catholic University of America, 1917, Nihil Obstat: +THOMAS J. SHAHAN, S. T. D., Censor Deputatus., Imprimatur: +M. CARD. GIBBONS, Archiepiscopus Baltimorensis, Approbatio Ordinis. Nihil Obstat: FR. JOSEPHUS KENNEDY, O. P., S. T. M., FR. AUGUSTINUS WALDRON, O. P., S. T. M, Imprimatur: FR. RAYMUNDUS MEAGHER, O. P., S. T. L., Prior Provincialis., The Rosary Press, Somerset, Ohio, 1917, p. 106).

Argument 9:

"Q. How can we have real cardinals anyway, if Ratzinger is not the pope? Wouldn't they be phony cardinals?"

A. They may be phony cardinals, but they are not phony electors. Ratzinger has the authority to appoint electors to the papacy for the same reason that the cardinals themselves have the power to elect. All of this pertains to the order of designation, and not to the order of jurisdiction. But it is the power of jurisdiction (power to rule) which makes a pope a pope,

and not the power of designation. The thesis maintains that Novus Ordo retains the power to designate people to receive the power of jurisdiction in the Church."

Comment 9:

Phony cardinals cannot be electors at all. Phony cardinals of the Vatican II church are guilty of public heresy and apostasy before the law, have legal censure upon them (loss of office because of "a fide catholica publice defecerit" - Canon 188.4 and Canon 2314, 1) and, therefore, are incapable of electing validly anyone to the Papacy.

Ratzinger has no authority to appoint electors to the Papacy for the same reason that the phony cardinals themselves have no power to elect. Being a public heretic and not having the power of jurisdiction over the Church, Ratzinger does not have power to designate people to receive the power of jurisdiction in the Church, because the power of designation is an integral part of the power of jurisdiction.

Those **matters** and **acts** fall **directly** under **ecclesiastical jurisdictions** which are **essentially spiritual**:

"NATURE AND OBJECT OF ECCLESIASTICAL JURISDICTION.

204. What objects or things fall under ecclesiastical jurisdiction?

Some things come directly within the reach or compass of the Church's authority, others but indirectly. ⁽⁵⁰⁾

1. Now, those matters and acts fall directly under ecclesiastical jurisdiction which are essentially spiritual. But how are temporal things distinguished from spiritual?

Certainly not because the former are corporeal, visible, or external, while the latter are invisible or immaterial; otherwise, sacraments, being visible signs, would have to be accounted ⁽⁵¹⁾ temporal objects. Spiritual things, therefore, are distinguished from temporal by reason of their respective ends. Hence, those matters are spiritual ⁽⁵²⁾ which have an exclusively spiritual ⁽⁵³⁾ end - namely, the salvation of the soul - even though they be of a corporal structure."

⁽⁵⁰⁾ Cfr. Craisson, Man., n. 26.

⁽⁵¹⁾ Phillips, vol. ii., p. 534.

⁽⁵²⁾ Ib., p. 536.

⁽⁵³⁾ Soglia, vol. i., p. 320.

(ELEMENTS OF ECCLESIASTICAL LAW , COMPILED WITH REFERENCE TO THE SYLLABUS, THE "CONST. APOSTOLICAE SEDIS" OF POPE PIUS IX, THE COUNCIL OF THE VATICAN AND THE LATEST DECISIONS OF THE ROMAN CONGREGATIONS, BY REV. S. B. SMITH. D.D., FORMERLY PROFESSOR OF CANON LAW, AUTHOR OF "NOTES," etc., etc., FOURTH EDITION, REVISED ACCORDING TO THE ANIMADVERSIONS OF THE ROMAN CONSULTORS APPOINTED BY THE CARDINAL PREFECT OF THE PROPAGANDA, BOOK I, NEW YORK, CINCINNATI, ST. LOUIS, AND EINSIEDELN: BENZIGER BROTHERS, PRINTERS TO THE HOLY APOSTOLIC SEE, 1881, Nihil Obstat: Rev. S. G. MESSMER, S.T.P., Censor Deputatus, Imprimatur: JOANNES CARD. McCLOSKEY, Archiepiscopus Neo-Eboracensis, Datum Neo-Eboraci, Die 25 Martii, 1877, p. 89, 90)

Hence Ratzinger does not have power to designate people to receive the power of jurisdiction in the Church, since this act has a **spiritual end** - namely, the salvation of the soul - and, therefore, falls **directly** under **ecclesiastical jurisdictions**.

Argument 10:

"So Ratzinger is not guilty of heresy or apostasy before the law, has no legal censure upon him, and is therefore capable of receiving validly a legal election to the papacy. Therefore he is not the pope formally - that is, in fact, - but he is the pope materially - that is, he is in possession of a valid election."

Comment 10:

I think this argument could be a good example of a self-contradictory statement. Based on this statement, any Novus Ordo follower can tell you: "Keep your "material pope" opinions to yourself. If Ratzinger is not guilty of heresy or apostasy before the law, has no legal censure upon him, and is capable of receiving validly a legal election to the papacy, you must agree that he is the pope formally, and therefore, you must obey him."

Actually, Ratzinger is guilty of heresy and apostasy before the law, has legal censure upon him (loss of office because of "a fide catholica publice defecerit" - Canon 188.4 and "all apostates from the Christian faith and all heretics and schismatics: incur excommunication *ipso facto*" - Canon 2314, 1) and is therefore incapable of receiving validly a legal election to the Papacy. In order to be in possession of a valid election he must make abjuration of heresy (before a conclave, not afterwards) and be elected at a new conclave, if a conclave takes place at his life time.

But, even if Ratzinger abjures heresies, he will have no moral right to be a candidate for the Papacy. The promotion of such a man to the Papacy would be against the justice. The best solution for the man, who has caused loss of faith in God by hundreds of millions of people, is to do penance for the rest of his life in humble solitude.

According to **Canon Law** a *fixed penalty* (no room is left for doubting what is meant) *latae sententiae* excommunication *ipso facto*, *per se* takes effect *immediately*, *per se* requires not even a *declaratory sentence*, but the *bonum publicum* (*common good*) demands such a sentence in the case of clergymen. Also, no canonical warning or admonition is required:

"A *subdivision* of penalties is that based upon the measure and mode of infliction, as per can. 2217.

I. A fixed penalty is one so clearly determined by law or precept that no room is left for doubting what is meant. Thus, if the law says: "they incur excommunication," "are deprived of office," etc., this and no other penalty must be understood."

"A distinction of the ecclesiastical law which has been made a target of attacks against the Church is that between penalties *latae* and *ferendae sententiae*.

3. A fixed penalty *latae sententiae* as well as *ferendae sententiae* may be established by law

(a iure)."

"Paragraph 2 of can. 2217 rules that the penalty must always be understood to be *ferendae sententiae*, unless *ipso iure*, or *ipso facto*, or similar terms are used. For instance, can. 2315: *habeatur tanquam haereticus, haereticorum poenis obnoxius*."

"APOSTASY, HERESY, AND SCHISM. Can. 2314.

Paragraph I. All apostates from the Christian faith and all heretics and schismatics:

1. Incur excommunication *ipso facto*, and

2. Unless they repent, *shall be deprived* of any benefice, dignity, pension or other charge which they may hold in the Church, and be declared *infamous*; clerics, after repeated warning, shall be deposed;

3. If apostates, heretics or schismatics have joined a non-Catholic sect, or publicly professed themselves members thereof, they are by this very fact (*ipso facto*) infamous; clerics, after having been warned without result, must be degraded and their offices thereby become vacant."

"a) The *censure inflicted is excommunication incurred ipso facto*, which *per se* requires not even a declaratory sentence. Only if, in the prudent judgment of the superior, the public welfare should require such a sentence, it must be pronounced. The *bonum publicum* certainly demands it in the case of clergymen. Note that the term *moniti* (Par. I, n. 2) does not refer to the incurring of the censure. Consequently, no canonical warning or admonition is required." (A COMMENTARY ON THE NEW CODE OF CANON LAW, By THE REV. P. CHAS AUGUSTINE, O.S.B., D.D., Professor of Canon Law, VOLUME VIII, BOOK V, Penal Code (Can. 2195-2414) with complete index, W. E. BLAKE & SON, LIMITED, CATHOLIC CHURCH SUPPLIES 123 CHURCH ST. TORONTO, CANADA, 1922, NIHIL OBSTAT: Sti. Ludovici, die 23. Aug. 1922, F. G. Holweck, Censor Librorum, IMPRIMATUR: Sti. Ludovici, die 25. Aug. 1922, +Joannes J. Glennon, Archiepiscopus Sti. Ludovici. p. 72, 73, 275, 276, 278, 279)

Also **THE CATHOLIC ENCYCLOPEDIA** says this:

"(3) *Latae and Ferendae Sententiae* - Excommunication, especially *a jure*, is either *latae* or *ferendae sententiae*. The first is incurred as soon as the offence is committed and by reason of the offence itself (*eo ipso*) without intervention of any ecclesiastical judge; it is recognized in the terms used by the legislator, for instance: "the culprit will be excommunicated at once, by the fact itself [*statim ipso facto*]". The second is indeed foreseen by the law as a penalty, but is inflicted on the culprit only by a judicial sentence; in other words, the delinquent is rather threatened than visited with the penalty, and incurs it only when the judge has summoned him before his tribunal, declared him guilty, and punished him according to the terms of the law. It is recognized when the law contains these or similar words: "under pain of excommunication"; "the culprit will be excommunicated"." (**THE CATHOLIC ENCYCLOPEDIA**, AN INTERNATIONAL WORK OF REFERENCE, ON THE CONSTITUTION, DOCTRINE, DISCIPLINE AND HISTORY OF THE CATHOLIC CHURCH, EDITED BY CHARLES G. HERBERMANN, Ph.D., LL.D., EDWARD A. PACE, Ph.D., D.D., CONDE B. PALLAN, Ph.D., LL.D., THOMAS J. SHAHAN, D.D., JOHN J. WYNNE, S.J., ASSISTED BY NUMEROUS COLLABORATORS, IN FIFTEEN VOLUMES, VOLUME V, p. 680, New York ROBERT APPLETON COMPANY, Nihil Obstat: May 1, 1909, REMY LAFOET, CENSOR, Imprimatur: +JOHN M. FARLEY, ARCHBISHOP OF NEW YORK)

FR. FRANCIS EDWARD HYLAND says:

"Canon 2232, 1, states that a *latae sententiae* penalty, whether medicinal or vindictive, *ipso facto* binds the delinquent who is conscious of the delict in both forums; before a declaratory sentence, however, the delinquent is excused from observing the penalty whenever he cannot observe it without infamy, and no one can exact the observance of the penalty in the external form, unless the delict is notorious.

A *latae sententiae* penalty is one that is attached to a law or precept in such a manner that it is incurred *ipso facto* by violating the law or precept (Can. 2217, 1, n. 2). Consequently, such a penalty, whether medicinal or vindictive, *ipso facto* binds the delinquent who is conscious of the delict in both forums. Since the penalty is incurred by the very commission of the delict, *per se* it takes effect immediately; *per se* the delinquent is obliged immediately upon the commission of the delict to observe the penalty in the external as well as in the internal forum; *per se* the intervention of a superior is not required in order that the penalty have its effect." p.48

"No one who has incurred a *latae sententiae* penalty is obliged to observe it, unless at least one of the following conditions is verified: (1) unless a declaratory sentence has been issued; (2) unless the delict is notorious; (3) unless the delinquent can observe the penalty without loss of reputation." p. 49

"A declaratory sentence has place only in *latae sententiae* penalties; it is a sentence which officially proclaims that one has committed a delict and consequently has incurred the penalty attached to the commission of the delict. Since such a sentence has place only in *latae sententiae* penalties, that is, penalties which are incurred *ipso facto* by the commission of the delict, it is clear that it does not inflict or impose a penalty; it merely makes manifest the fact that a penalty has already been incurred." p. 50 (**EXCOMMUNICATION ITS NATURE, HISTORICAL DEVELOPMENT AND EFFECTS**, A DISSERTATION Submitted to the Faculty of Canon Law of the Catholic University of America in partial fulfilment of the requirements for the Degree of DOCTOR OF CANON LAW, by FRANCIS EDWARD HYLAND, J. C. L. Priest of the Archdiocese of Philadelphia, Catholic University of America, Washington, D. C. 1928, Nihil Obstat: + Thomas J. Shahan, S. T. D., J. U. L., Censor Deputatus, Washingtonii, D. C., die XV Maii, 1928. Imprimatur: + D. Card. Dougherty, Archiepiscopus Philadelphiensis, Philadelphiae, die XXII Maii, 1928. p. 48, 49, 50)

As you can see, explaining Can. 2217, 2 Rev. P. Chas Augustine wrote this: "if the law says: "they incur excommunication," "are deprived of office," etc., this and no other penalty must be understood."

Also, while the Canon Law says that the *common good* certainly demands a *declaratory sentence* in the case of clergymen, however at present Sede Vacante such a sentence cannot be pronounced to Ratzinger. Nevertheless, based on Can. 2314, 1 we have the right to say that he incurred excommunication *ipso facto* as a public heretic and apostate.

Note that a *declaratory sentence* does not inflict or impose a penalty; it merely makes manifest the fact that a penalty has already been incurred.

Also there are some quotations from **Moral Theology**:

"431. Chapter II
CENCURES LATAE SENTENTIAE
Article I

Individual Excommunications

432. – II An excommunication *speciali modo* reserved to the Holy See is incurred by:

1. **Every apostate, heretic or schismatic** (C. 2314).

434. -

9. Whoever usurps or retains for himself property or rights of the Roman Church (C. 2345).

10. Whoever fabricates or falsifies writings of the Apostolic See, or knowingly uses such (C. 2360).

12. Whoever usurps an ecclesiastical office, benefice or dignity, or permits himself to be unlawfully placed in, or who retains any of the foregoing.

13. Whoever conspires against legitimate ecclesiastical authority or in any way strives to undermine it.

The censure is incurred also by those who in any way, directly or indirectly, participate in the delicts mentioned in 12 and 13 (*Sacred Congregation of the Council*, June 29, 1950)."

(**Moral Theology**, by Rev. Heribert Jone, O.F.M. CAP, J.C.D., by Rev. Urban Adelman, O.F.M. CAP, J.C.D., The Mercier Press Limited, Cork, Ireland, Nihil Obstat: PIUS KAELEN, O.F.M. CAP, Censor Deputatus, Imprimi Potest: VICTOR GREEN, O.F.V. CAP, Provincial, July 2, 1955, Nihil Obstat: RICHARD GINDER, S.T.I., Censor Librorum, Imprimatur: JOHN FRANCIS DEARDEN, D.D., Bishop of Pittsburg, August 15, 1955, Printed in the United states of America, p. 297, 299)

Consequently, we know from the Canon Law and Moral Theology that Ratzinger was excommunicated by the penalty *Latae Sententiae* which is incurred as soon as the offence is committed and by reason of the offence itself (*eo ipso*) without intervention of any ecclesiastical judge, and he is bound to observe the penalty before a declaratory sentence, because his delict is notorious. Therefore, we can say that our understanding of Ratzinger's case is correct, and his election to the papacy is invalid.

Also, see by Most Rev. Daniel L. Dolan [Canon 188.4 or Where is the Church](#)

Argument 11:

"But the electors of the pope, even those who adhere to Vatican II, intend to designate someone legally to receive the papacy. Likewise Paul VI and John Paul II, although popes merely materially, intend to nominate subjects to have the faculty or right of designating a pope when they nominate cardinals. Therefore the conclaves, even those after the Second Vatican Council, intend the good of succession to the papal see objectively, and those who are elected to this see objectively intend the good of naming electors of the pope. This merely material continuity of authority is able to indefinitely continue, to the extent that the conclaves intend to elect a pope and that those elected intend to nominate electors."

Comment 11:

Taking into account destructive anti-Catholic activity of the Vatican II church for over sixty years, the only Catholic conclusion about Vatican II's "cardinals" may be following: they intend to designate someone to receive the "papacy" in the *Novus Ordo* anti-Church, not in the Catholic Church.

The "material popes" "Paul VI" and "John Paul II" intended to nominate subjects to have the faculty or right of designating a false pope when they nominate *Novus Ordo* "cardinals".

It also can be said about the "conclaves" after the "Second Vatican Council" because they rather intend "the good of succession" to "papal see" within the *Novus Ordo* anti-Church.

Argument 12:

"Q. But would not Our Lord be a legitimate elector? Why could not He select a pope, who would be at the same time the successor of St. Peter?"

A. Yes, obviously, Our Lord could select a pope, just as He selected St. Peter. But a divine intervention, of the type that the totalists imagine, would amount to a new public revelation, which is impossible. All public revelation is closed with the death of the last Apostle. This is an article of faith. Any revelations which take place after the death of the last Apostle are in the category of private revelation. Hence, in the totalist system, a private revelation would reveal the identity of the pope. It is needless to say that such a solution destroys the visibility of the Catholic Church, and well as its legality, and makes the very existence of the Catholic Church dependent on seers. It is also needless to say that it opens the papacy to the lunatical world of apparitionists. The very purpose of the Church is to propose divine revelation to the world. If the nomination of the pope, who is the very one who proposes revelation, were to come from a private revelation, the whole system would fall apart. Then the highest authority in the Church would be the seer, who could make or break popes. And there would be no authoritative way in which to determine whether the seer were a hoax or not. Ultimately everyone's act of faith would be dependent on the veracity of some seer. Rather, the Catholic Church is a visible society, and has a legal life. Our Lord is the Invisible Head of the Church. The Church could no longer claim visibility, if the selection of its hierarchy is made by an invisible person, even our Lord Himself. But if for a moment we should admit this possibility, we still must assert that Our Lord's selection would not be a legitimate successor of St. Peter. Legitimate succession happens according to the dictates of ecclesiastical law or of established custom. But a succession by divine intervention happens according to neither of these things. Therefore he would not be a legitimate successor of St. Peter."

Comment 12:

We are living at very abnormal times, which are incomparable even with the first three hundred years of the Catholic Church's life. Although being persecuted by the godless civil authorities, the Church Militant had the Pope.

Even in those dire circumstances, majority of the clergy and laity were true Catholics, and therefore the Church was able to elect a new Pope after death of a previous one. Although not every election of a new Pope was held according to the same law or a custom, nevertheless the elections took place for just mentioned reason.

The state of the Church Militant in our days is aggravated by the absence of the Pope, and by the very sad fact that the majority of "hierarchs" and laity (hundreds of millions), calling themselves Catholics, actually practice the *Novus Ordo* new religion, while number of true Catholics has been reduced to a minimum.

Therefore, circumstances are such that election of a new Pope is hardly possible without direct Divine intervention.

Let's turn to the Holy Scripture and the Doctrine of the Catholic Church on the Communion of Saints:

"74. Are only the faithful on earth united together as one Church?"

No; with the faithful on earth are also spiritually united the saints in Heaven and the souls in Purgatory.

The faithful on earth who are members of the Catholic Church constitute the Church **Militant**; the souls in Purgatory, the Church **Suffering**; and the Saints in Heaven, the Church **Triumphant**; yet these three Churches are, strictly speaking, but one in different states.

75. What is this spiritual union called?

The Communion of Saints.

76. In what does this spiritual union consist?

This spiritual union consists in this: that *all* are members of one body, whose head is Christ Jesus, and that therefore the different members participate in one another's spiritual goods."

"As in one body we have many members, so we, being many, are one body in Christ, and every one member one of another" (Rom. xii. 4, 5). "He [Christ] is the Head of the body, the Church" (Col. i. 18) (**A COMPLETE CATECHISM OF THE CATHOLIC RELIGION**, TRANSLATED FROM THE GERMAN OF THE REV. JOSEPH DEHARBE, S.J. BY THE REV. JOHN FANDER, SIXTH AMERICAN EDITION, EDITED BY THE REV. JAMES J. FOX, D.D. and THE REV. THOMAS McMILLAN, C.S.P., NEW YORK SCHWARTZ, KIRWIN & FAUSS 42 BARCLAY STREET, Nihil Obstat: Very Rev. Edmund T. Shanahan, D.D. Censor deputatus, Catholic University of America Washington, D. C. April 16, 1908, Imprimatur: +John M. Farley Archbishop of New York April 21, 1908, p. 150, 151)

Therefore, the Communion of Saints does not open the Catholic Church to the "lunatical world of apparitionists".

Although Our Lord is the Invisible Head of the Catholic Church, this fact does not destroy the visibility of the Church Militant which is only one of the three parts of the Church, the two parts of which - the Church Suffering and the Church Triumphant - are invisible. Similarly, the death and physical absence of a Pope, who is the Visible Head of the Church Militant, does not destroy the visibility of the Church; Bishops, priests and faithful still constitute the Church Militant.

Commenting on the Papacy in the days of Antichrist Rev. E. Sylvester Berry wrote that transfer of the Papacy from Rome to Jerusalem might be made by decree of a General Council acting with the Pope, or by direct intervention of divine Providence:

"After the destruction of Rome in the days of Antichrist, it shall remain forever but a heap of ruins, and the haunt of filthy animals; "that great city shall be found no more at all." This fact taken in connection with the many prophecies concerning the future glory of Jerusalem, justifies the belief that it will become the city of the Popes and the capital of Christendom from the time of Antichrist until the consummation of the world. This, we believe, is not opposed to the teaching of the Church. Many theologians hold that the Papacy is connected with the bishopric of Rome by divine institution; yet this cannot be an article of Faith because it is contained neither in Scripture nor in tradition. It is of faith that the successor of St. Peter is head of the Church, and in the present order of things it is also of faith that the bishop of Rome is the successor of St. Peter. Transfer of the Papacy from Rome to Jerusalem might be made by decree of a general council acting with the Pope, or by direct intervention of divine Providence. The prophets of old foretell the future glory of Jerusalem when it shall become again the Holy City and the spiritual capital of the world whence the waters of salvation flow out to all peoples." (**THE APOCALYPSE OF ST. JOHN** BY REV. E. SYLVESTER BERRY, FIRST EDITION, COLUMBUS, OHIO: JOHN W. WINTERICH THE CATHOLIC CHURCH SUPPLY HOUSE, 59 EAST MAIN STREET, 1921, NIHIL OBSTAT: JOSEPH MOLITOR, D. D., Censor Deputatus, IMPRIMATUR: +JAMES J. HARTLEY, Bishop of Columbus, June 15, 1921, p. 192-193)

So, if transfer of the Papacy from Rome to Jerusalem might be made by direct intervention of divine Providence, we may presume that after a very long period of the Vacancy of the Holy See - when all cardinals are dead - nomination of a new successor of St. Peter by Christ Himself will not destroy the visibility of the Catholic Church or its legality. Direct divine intervention will not open the Papacy to the "lunatical world of apparitionists" either.

Argument 13:

"Q. What solution to the Church's problem does the thesis offer?"

A. There are many possible solutions.

(1) Ratzinger converts to the Catholic Faith, repudiates Vatican II and its reforms, and receives the jurisdiction to rule, and becomes the pope."

Comment 13:

If Ratzinger converts to the Catholic Faith, repudiates Vatican II and its reforms, he neither receives the jurisdiction nor becomes the pope.

Also, Ratzinger's personal conversion neither automatically turn every *Novus Ordine* into a true Catholic nor the *Novus Ordo* church into the Catholic Church.

Moral Theology teaches this:

"Human acts (actus humani) are those that proceed from knowledge and free will." (**Moral Theology**, by Rev. Heribert Jone, O.F.M. CAP., J.C.D., by Rev. Urban Adelman, O.F.M. CAP., J.C.D., The Mercier Press Limited, Cork, Ireland, Nihil Obstat: PIUS KAELEN, O.F.M. CAP, Censor Deputatus, Imprimi Potest: VICTOR GREEN, O.F.V. CAP., Provincial, July 2, 1955, Nihil Obstat: RICHARD GINDER, S.T.I., Censor Librorum, Imprimatur: JOHN FRANCIS DEARDEN, D.D., Bishop of Pittsburg, August 15, 1955, Printed in the United states of America, p. 2)

Hence, we may conclude that the conversion to the Catholic Faith is a human act that must be performed by every man personally.

Argument 14:

"Furthermore the totalist theory ruins the apostolicity of the Church. To my knowledge, I have never seen any totalist even address the problem of apostolicity in the present crisis. They generally respond with, "God will take care of that." Yes, He will, but God-will-take-care-of-that is not Sacred Theology. The Church did not respond to the objections to the Trinity by saying "Somehow or other He is three Persons in one God," but carefully, by the work of the holy Doctors and ultimately in magisterial declarations defined certain truths about the Trinity whereby the unity of divine essence and the trinity of Persons are respected. So if the totalists can successfully address the problem of the continuity of the hierarchy founded upon St. Peter, we material-formalists are listening."

Comment 14:

What is called "totalist theory" actually is the statement of the reality of the very long period of the Vacancy of the Holy See which does not ruin the apostolicity of the Church. Rather the Vatican II "material popes" attempt to do that.

God is capable to save His Church in an unprecedented, supernatural way, and not everything related to the supernatural Divine order can be easily explained. It is also often impossible to figure out how to solve a problem, if a solution is not clearly described by the law. Moreover, it is difficult to find an answer in the absence of a lawgiver. Therefore, in such cases, it remains only to rely on the Divine supernatural intervention.

"He said to them: The things that are impossible with men, are possible with God" (St. Luke 18:27).

"I say to you, that if these shall hold their peace, the stones will cry out" (St. Luke 19:40).

"God would miraculously animate the very stones to celebrate His triumph" (AN EXPOSITION OF THE GOSPEL OF ST. LUKE, CONSISTING OF AN ANALYSIS OF EACH CHAPTER AND OF A COMMENTARY CRITICAL, EXEGETICAL, DOCTRINAL, AND MORAL BY HIS GRACE THE MOST REV. DR. MacEVILLY, ARCHBISHOP OF TUAM, THIRD EDITION REVISED AND CORRECTED, DUBLIN: M. H. GILL & SON, 50 UPPER O'CONNELL STREET, NEW YORK: BENZIGER BROTHERS, 113 BROADWAY, 1898, p. 214)

"God will take care of that" **is** the Sacred Theology of St. Peter, the Prince of the Apostles and the very first Pope. His first Epistle contains much doctrine concerning Faith, Hope, and Charity, with diverse instructions to all persons of what state or condition so ever. Therefore, **"Casting all your care upon Him, for He hath care of you"** (THE FIRST EPISTLE OF ST. PETER THE APOSTLE 5:7) **is** the Sacred Theology.

Unlike "God will take care of that", the "material pope" thesis **is not** Sacred Theology. A public formal heretic who is outside of the Church is capable not to continue the line of St. Peter's successors materially, but to begin or continue a new line of anti-successors formally. Actually, the Vatican II "material popes" already formed this anti-line.

Regarding the way to solve the problem of the continuity of the hierarchy founded upon St. Peter, Rev. Peter A. Baart, S.T.L., wrote in his book **"The Roman Court"** as follows:

If in the course of the election a considerable number of cardinals should withdraw from the conclave refusing to participate in the election, the right of choosing the Pontiff would remain with the cardinals in conclave, even though but two, yea, even though but one were left. Likewise if all the cardinals but one should die, he would have the right of electing the Pontiff; but he could not choose himself. If all the cardinals should die before the election of a Sovereign Pontiff, it is disputed who would have the right to elect. Some say an oecumenical council should elect, but the more common and safe opinion is that the election would still pertain to the Roman clergy, that is, to the canons of the Lateran basilica, the cathedral of the Pope. (**The Roman Court**, by the Reverend Peter A. Baart, S. T. L., Author of "Orphans and Orphan Asylums," and "Episcopal Claims Disproved" FR. PUSTET, Printer to the Holy See and the S. Congregation of Rites, FR. PUSTET & CO., NEW YORK AND CINCINNATI. Nihil Obstat: Carolus O'Reilly, S. T. D., Censor Deputatus. Imprimatur: Joannes S. Foley, Episcopus Detroitensis. Die 25, m. Septembris, 1895, p. 59-61, 66, 70-71)

I would only like to add that the author did not write about the "clergy" of the Vatican II church. To be valid members of the Roman clergy, they must first abjure the heresies before being received into the Catholic Church. After confirmation of their valid baptism or be baptized - if they have not done it so - they must be confirmed and ordained by valid Catholic bishops. Only after following these conditions they would have the right to elect a Pope.

Also, people often ask the following question:

"Was Bp. Guerard des Lauriers a heretic, and is his thesis heretical?"

The **Canon Law** defines heretics as follows:

Canon 1325. 2 "defines three classes of Catholics who have suffered "shipwreck of the faith". The first class is that of *heretics* who, having been baptized, retain the name of

Christians, but obstinately deny or doubt some of the truths that must be believed by Divine or Catholic Faith." (**A COMMENTARY ON THE NEW CODE OF CANON LAW**, By THE REV. P. CHAS. AUGUSTINE, O.S.B., D.D., Professor of Canon Law, VOLUME VI, Administrative Law (Can. 1154-1551), B. HERDER BOOK CO. 17 SOUTH BROADWAY, ST. Louis, Mo. AND 68, GREAT RUSSELL ST., LONDON, W. C., 1921, NIHIL OBSTAT: Sti. Ludovici, die 18. Nov. 1920, F. G. Holweck, Censor Librorum, IMPRIMATUR: Sti. Ludovici, die 22. Nov. 1920, +Joannes J. Glennon, Archiepiscopus Sti. Ludovici. p. 334)

Bp. Guerard des Lauriers neither denied nor doubted the truths revealed by God and proposed by the Church for belief. He neither denied nor doubted the truth that the Papacy is Divine Institution. Therefore, he was not a heretic.

He only expressed his private opinion that a **public** formal heretic, a member of the Vatican II church - who incurred excommunication *ipso facto*, but a *declaratory sentence* was not pronounced by any ecclesiastical judge - is capable of receiving validly a legal election to the papacy. Although his opinion is false, it is not heretical.

However the "thesis" is quite questionable because it proposes to achieve a *good end* (election to the Papacy) by means of a *bad action* (election of a **public** heretic).

According to **Moral Theology** the end does not justify the means:

"A good intention certainly cannot make a bad action good. It is not lawful to tell a lie even to save another's life, according to the teaching of Innocent III. Evil must not be done that good may come of it. This is the teaching of Holy Scripture and of the Catholic Church, nor have Jesuits any other doctrine different from that of the Church. Father Dasbach promised to give anyone two thousand florins who would prove in open court that the Jesuits had ever taught that the end justifies the means. Count Paul von Hoensbroech undertook to do so, but he failed in his suit when it was tried at Cologne in the spring of 1905." (**A MANUAL OF MORAL THEOLOGY**, For English Speaking Countries, By REV. THOMAS SLATER, S.J., VOL I., FIFTH AND REVISED EDITION, LONDON, BURNS OATES & WASHBOURNE LTD., PUBLISHERS TO THE HOLY SEE, 1925, NIHIL OBSTAT: H. DAVIS, S.J., IMPRIMI POTEST: GULIELMUS BODKIN, S.J., NIHIL OBSTAT: J. R. McKEE, C.O., Censor deputatus, IMPRIMATUR: EDM. CAN. SURMONT, Vicarius generalis., WESTMONASTERII, Die 1 Decembris, 1924, p. 24-25)

"A *good motive* imparts additional moral goodness to a good act; but it never takes away the badness from an evil act; therefore, the end does not justify the means." (**Moral Theology**, by Rev. Heribert Jone, O.F.M. CAP, J.C.D., by Rev. Urban Adelman, O.F.M. CAP, J.C.D., The Mercier Press Limited, Cork, Ireland, Nihil Obstat: PIUS KAELEN, O.F.M. CAP, Censor Deputatus, Imprimi Potest: VICTOR GREEN, O.F.V. CAP, Provincial, July 2, 1955, Nihil Obstat: RICHARD GINDER, S.T.I., Censor Librorum, Imprimatur: JOHN FRANCIS DEARDEN, D.D., Bishop of Pittsburg, August 15, 1955, Printed in the United states of America, p. 17)

Conclusion:

(See in the "**Comments on the Material Pope Thesis. Second Part.**")

Fr. Valerii

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